



A PROCLAMATION,

Concerning the persons who are lyable in the payment of the Annuity of Teinds, their purchasing the same from His Majesty, and the Collection of the Arrears thereof remaining unpaid.

JAMES R.



James the Seventh by the Grace of GOD, King of Scotland, England, France, & Ireland, Defender of the Faith &c. To all and sundry our good Subjects whom these Presents do, or may concern, Greeting Whereas by the 15 Act of the Parliament held by King Charles the first, Our Royal Father (of ever Glorious Memory) in the year 1633: There was granted unto, and established upon Him, and His Royal Successors, a constant yearly Rent, and Duty payable out of the Teinds of Our antient Kingdom of Scotland, commonly called, the Annuity of Teinds, in the quantity, and to be uplifted in manner specified therein: By which Act, it is also declared, that the said Annuity of Teinds, should not be annexed to Our Crown; But that We may dispose thereof in whole or in part, at Our Pleasure. Likeas afterwards Our said Royal Father was pleased to dispose of the same, First in favours of the deceased James Livingston, for security and payment unto Him, of a certain sum of money specified in his Gift; And thereafter in favours of the deceased John Earl of Lowdoun, upon a Transaction and Agreement made betwixt Him, and the said James Livingston; Which Transaction having been ratified by Our said Royal Father, and a new Gift and Commission granted thereupon to the said Earl, as come in the place of the said James Livingston, the said Earl of Lowdoun did by virtue thereof, and the Power therein contained from the year 1642, untill the interruption of the English Invasion, not only intromet with the said Annuities, for all years and terms thereof then resting unpaid; But also did make sale of the Heritable Right of the same in many Shires, and Places, to the raising of great and considerable sums of money. Likeas (passing by what might have been intromitted with, and disposed upon, of the said Annuities by the said Earl, during the English Usurpation) Our late dearest Royal Brother (of ever blessed memory) was pleased in the year 1661 soon after His happy Restauration, to grant a new Gift, and Commission to the said Earl, For prosecuting and making sale of the rest of the said Annuities; Which having been interrupted by that Earl's Death, was again renewed and granted unto the deceased James Earl of Lowdoun his Son who by virtue thereof, did both intromet, and make many Sales, until the Month of April 1674. That Our said Royal Brother thought fit, by His Proclamation of Indemnity, (then granted) to stop, and recal all the saids Gifts and Commissions until the aforesaid Earls, and their Representatives should make just Compt and Reckoning of their whole Intromissions; And also freely to discharge all Persons lyable in payment of the said Annuities, of all Arrears thereof preceeding the year 1660. As the forelaid Proclamation more fully bears. And seeing that neither the said James Earl of Lowdoun during his own Lifetime, or any for him, since his decease have hitherto these fourteen years past, made any Compt or Reckoning of their foresaid Intromissions, and that the said Annuities do not only continually run on as a growing burden on all our good Subjects, lyable in payment thereof, who have not yet bought the same, but also have now for these twenty-eight years past, lyen over unprofitable and perishing to Us, to Our great prejudice. And We being withall resolved to have the Rests of the said Annuity, to be Collected and Received with all convenient diligence, and to have the Remains of the said Annuity (which do so undoubtedly pertain unto Us, and whereof the greater part is already purchased) fully cleared, and Our said Subjects who have not as yet purchased, totally exonerated of the burden of the said Annuity in all time coming; And that, at such a favourable rate as may evidently discover, that We do intend their Liberation and Ease, more than the satisfaction of Our own just Right. It is therefore Our Royal Will and Pleasure, that the Rests of the said Annuity, not as yet received nor taken up by virtue of the foresaid Transaction, Gifts, and Commissions be forthwith Collected and brought into Our Treasury for Our use and behoyle; And that the Remains of the said Annuity and Heritable Right thereof (in so far as the same is not already truly Sold and Disposed to the respective Purchasers) be forthwith offered to Sale; And for that effect, that due and lawful Intimation hereof be made unto all Persons lyable in payment of the said Annuity of Teinds, who have not yet purchased as said is; To the end they may come and Treat at any time betwixt this and the first day of August, One thousand six hundred and eighty Nine, with the Lords Commissioners of Our Treasury at Edinburgh, or where it shall happen to them to be for the time, Bringing with them true and exact Rentals of their whole Rents, as well Stock as Teind, which they shall be obliged to attest and confirm to be such by their Solemn Oath, to be taken by the said Lords Commissioners, To the effect that the Rate and Price at which We are willing to sell the same, may be thereby regulated, and established. And for the greater encouragement and full security of all those who shall come betwixt this and the aforesaid day, and imbrace this Our Offer, We do hereby further Declare, that it is Our Royal Will and Pleasure that the heritable Right of the said Annuity with good and valid Dispositions thereof, together with full and sufficient Discharges of all Arrears of the same, (when Collected and Received) that were resting unpaid, preceeding the Date of the foresaid Dispositions, shall be made over, Subscribed and Delivered by the saids Lords Commissioners of Our Treasury to the Persons lyable to the said Annuity, and willing to purchase the same, for the Price, and at the rate of twenty years Purchase (besides the Rests and Arrear of the said Annuity) to be instantly paid in to the saids Lords Commissioners of our Treasury, or whom they shall think fit to appoint for receiving the same; Which Dispositions and Discharges being Subscribed and Delivered, as laid is, and Registered in the Books of Our Exchequer there, shall be to the said Purchasers a sure and unquestionable Right and Exoneration at all hands in all time coming. And being We have been pleased to condescend unto to low a rate, for granting the saids Dispositions, We cannot but expect, that all Persons concerned, will be so much conviased of their own Interest and Ease by this Our Offer, as to comply with, and imbrace the same with all readiness. But because We do likewise intend to have this Our Offer Real and Effectual without any further delay; and Do also expect that the said Purchasers shall deal Truly and Honestly with Us, as We are willing to deal favourably with them. Therefore We Do hereby in the first place expressly Declare, that if any Purchaser shal behave so disingenuously, as not to give up a True and Exact Rental of His Rents, as well Stock as Teind in manner above required, that then, and in case it shal be found at any time within two years after making of the Bargain, that the aforesaid Rental was given up a fourth part short of the true Value, the Disposition to be granted thereupon, shall be void and null, and the fraudulent Concealer made liable for his whole Annuities, as well bygone as in time coming, and perpetually excluded from purchasing the Right thereof: Providing, Neverthelesse that if the said Rental shall be questioned, and the Falsehood thereof discovered within the space of the two years above prefixed, then the same shall be for ever thereafter held good and just, and never more quarellable. And in the next place, We Do by these Presents plainly certify all and every one of the Parties having Interest, who shall not accept of this Our Gracious Offer betwixt this and the foresaid day already prefixed, that then, and in that case they shall for ever thereafter have no Benefit thereof, nor yet have the like Offer made unto them in time coming, but that We will immediatly after elapsing of the said day, dispose upon the said Annuities as well for the time bygone, as in time coming, by granting Commissions for Collecting and Ingathering the same, or otherwise as We shall see cause. And to the end that all our Subjects (especially they who are concernd in the Premisses) may have notice of this our Royal Will and Pleasure, We Do hereby Command Our Lyon King at Arms, and his Brethren Herald, Macers, Purfeyants, and Messengers at Arms, to make timely Proclamation therol at the Mercat Crois of Edinburgh. For all which, these Presents shall be to all Persons whatsoever who may be therein any way concerned, a sufficient Warrant.

Given at Our Court at Whitehall, the 25 day of May, 1688. and of Our Reign, the 4th year.

By His Majesties Command,
MELFORT.

Edinburgh, The third day of July 1688. His Majesties Royal Proclamation above-written being read in Council, was by Order Published, and is Recorded in their Books, by me
COL. MCKENZIE, C. S. Concili.

GOD Save the KING.

Edinburgh, Printed by the Heir of Andrew Anderson, Printer to His most Sacred Majesty, Anno Dom. 1688.